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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 v. )

2:12-CR-444-APG-(CWH)

11 EARL MOSHER, )

12 Defendant. )

13  
14 PRELIMINARY ORDER OF FORFEITURE

15 This Court finds that on July 10, 2013, defendant EARL MOSHER pled guilty to Count Two  
16 of a Four-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of  
17 Title 18, United States Code, Section 2252A(a)(2). Criminal Indictment, ECF No. 1; Change of Plea,  
18 ECF No. \_\_; Plea Agreement, ECF No. \_\_.

19 This Court finds defendant EARL MOSHER agreed to the forfeiture of the property set forth  
20 in the Forfeiture Allegations of the Criminal Indictment and the Plea Agreement. Criminal Indictment,  
21 ECF No. 1; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
23 has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal  
24 Indictment and agreed to in the Plea Agreement and the offense to which defendant EARL MOSHER  
25 pled guilty.

26 ...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
2 2253(a)(1) and (a)(3):

- 3 1. Systemax computer, Serial Number 10624202;
- 4 2. Seagate hard drive Serial Number 9QJ06N33;
- 5 3. Simpletech external hard drive Serial Number 091352610006149;
- 6 4. Maxtor external drive Serial Number 2CAHQ05R;
- 7 5. A generic computer tower containing a Maxtor 30.7GB hard drive;
- 8 6. Maxtor 30.7GB hard drive;
- 9 7. Numerous CDs, DVDs, zip drives, VHS tapes, and other media;
- 10 8. A Compaq Presario CQ60, serial number 2CE9202DHM; and
- 11 9. Any and all computer images, including movie files, depicting a minor engaging in  
12 sexually explicit conduct and the diskettes and hard drives on which they are  
13 maintained ("property").

14 All pursuant to Title 18, United States Code, Sections 2251(d), 2252(a)(1), (a)(2),  
15 (a)(5)(B), and 2253(a)(1).

16 This Court finds the United States of America is now entitled to, and should, reduce the  
17 aforementioned property to the possession of the United States of America.

18 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
19 United States of America should seize the aforementioned property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
21 EARL MOSHER in the aforementioned property is forfeited and is vested in the United States of  
22 America and shall be safely held by the United States of America until further order of the Court.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
24 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
25 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
26 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the

1 name and contact information for the government attorney to be served with the petition, pursuant to  
2 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
7 following address at the time of filing:

8 MICHAEL A. HUMPHREYS  
9 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
10 333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
13 following publication of notice of seizure and intent to administratively forfeit the above-described  
14 property.

15 DATED this 12<sup>th</sup> day of July 2013.

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19 UNITED STATES DISTRICT JUDGE  
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